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May 1, 2002

Time: 3:40 pm  
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TO: Commissioner for Patents  
Attn: Donghee Kang  
Patent Examining Corps  
Facsimile Center  
Washington, D.C. 20231

FROM: Eduardo E. Drake

OUR REF: 303.434US2

TELEPHONE: (612) 349-9593

**FAX NUMBER (703) 308-7722**

**\* Please deliver to Examiner Donghee Kang in Art Unit 2811. \***

Document(s) Transmitted: **SUPPLEMENTAL AMENDMENT & RESPONSE UNDER 37 C.F.R. § 1.116 (2 pgs).**

Total pages of this transmission, including cover letter: 3 pgs

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In re. Patent Application of: Pierre C. Fazan et al.

Examiner: Donghee Kang

Serial No.: 09/489,954

Group Art Unit: 2811

Filed: January 24, 2000

Docket No.: 303.434US2

Title: **METHOD FOR FORMING A STORAGE CELL CAPACITOR COMPATIBLE WITH HIGH DIELECTRIC CONSTANT MATERIALS**

Please charge any additional fees or credit overpayment to Deposit Account No. 19-0743.

By: 

Name: Eduardo E. Drake

Reg. No.: Reg. No. 40,594

I hereby certify that this paper is being transmitted by facsimile to the U.S. Patent and Trademark Office on the date shown below.

Amy Moriarty  
Amy J. Moriarty

May 1, 2002  
Date of Transmission

**EXPEDITED PROCEDURE - EXAMINING GROUP 2811****S/N 09/489,954****PATENT****IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

Applicant:	Pierre C. Fazan et al.	Examiner:	Donghee Kang
Serial No.:	09/489,954	Group Art Unit:	2811
Filed:	January 24, 2000	Docket:	303.434US2
Title:	METHOD FOR FORMING A STORAGE CELL CAPACITOR COMPATIBLE WITH HIGH DIELECTRIC CONSTANT MATERIALS		

**SUPPLEMENTAL AMENDMENT & RESPONSE UNDER 37 C.F.R. § 1.116**

Box AF  
Commissioner for Patents  
Washington, D.C. 20231

17/2 (N/E)  
FJONES  
5-2-02

In response to the final Office Action mailed February 1, 2002, please amend the application as follows:

**IN THE CLAIMS**

Please cancel claims 90-91 without prejudice or disclaimer.

**REMARKS**

Applicant acknowledges a telephonic interview between its patent counsel Eduardo Drake and the Examiner on May 1, 2002. The effective filing date of the application was discussed in relation to that of the 08/044,331 application. It was agreed that claims 39-41, 44-56, 88 and 89 were entitled to an April 1993 filing date, based on Figure 10b of the '331 application as evidenced by Figure 10b of US Patent 5,578,772. It was further agreed that both finality and the 102(e) rejections of claims 39-41, 44-56, 88 and 89 would be withdrawn.